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Passed 7-0 (Flaherty, Rosenbarger absent)

CITY OF BLOOMINGTON, INDIANA

ORDINANCE NO. 2026-22

PROHIBITING USE OF AUTOMATED LICENSE PLATE READER TECHNOLOGY AND THIRD-PARTY SURVEILLANCE CAMERAS

Preamble

WHEREAS, on March 4, 2026, the Common Council passed Resolution 2026-04 – A Resolution Establishing Immediate Transparency, Limits, and a Public Review Process for Automated License Plate Reader (ALPR) Technology in Bloomington;

WHEREAS, Resolution 2026-04 defined ALPR technology as "any fixed, mobile, or portable camera system—together with any associated software or server—that captures images of motor vehicles and automatically detects, extracts, or converts license plate numbers (and related vehicle descriptors such as make, model, color, date/time, and location) into searchable records on alerts";

WHEREAS, Resolution 2026-04 further required the Chief of Police and the Mayor to provide a briefing on the status of Bloomington's ALPR program, which was enacted through a contract with the vendor Flock Group Inc. ("Flock");

WHEREAS, on April 15, 2026, the Chief of Police delivered a report to Council about the City's contracts with Flock, including ALPRs and security cameras connected to the vendor's nationwide network, and the Mayor announced that the City had not renewed its ALPR contract with Flock but would be seeking other vendors for similar technology;

WHEREAS, since the City announced that it was cancelling its ALPR contract with Flock, several communities and local governments around the country have done the same, including the Monroe County, Indiana, Commissioners, who voted to terminate their Flock contract on July 23, 2026; and

WHEREAS, the Common Council acknowledges that the widespread deployment of ALPR technology by government agencies creates comprehensive databases that enable the tracking and surveillance of the general public, chilling the exercise of constitutionally protected rights including freedom of assembly, freedom of religion, and freedom of movement;

WHEREAS, the Common Council reaffirms its commitment to civil liberties, including freedom of movement and speech, due process of law, and the principle that

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government should not create standing surveillance capabilities absent necessity, strict limits, and democratic accountability;

WHEREAS, the Common Council finds that the privacy interests of its residents outweigh the benefits of routinely using surveillance cameras and ALPRs without extensive review and oversight, particularly given the availability of less invasive investigative methods;

WHEREAS, the City of Bloomington is committed to ensuring that it respects the dignity, privacy, and civil liberties of all persons within its jurisdiction regardless of immigration status, race, religion, national origin, or any other characteristic; and

WHEREAS, the Common Council now finds that prohibiting City agencies from acquiring or using ALPR technology and surveillance camera systems provided by Flock, or any other third-party vendor, is necessary and appropriate to protect the privacy and civil liberties of residents until such time that the City develops a comprehensive regulatory framework that can ensure the protection of resident data, privacy, and essential rights.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Bloomington, Indiana, as follows:

SECTION 1. A new chapter of the Bloomington Municipal Code, Chapter 2.87 "Prohibition on the Use of Automated License Plate Readers (ALPRs) and Certain Video Surveillance Technology" shall be added to Title 2 and the table of contents, and the chapter shall read as follows:

Chapter 2.87 - "Prohibition on the Use of Automated License Plate Readers (ALPRs) and Certain Video Surveillance Technology"

2.87.010 – Purpose. The purpose of this Ordinance is to protect the health, welfare, privacy, civil liberties, and constitutional rights of all persons within the City of Bloomington by prohibiting the City and its agencies from acquiring, operating, or accessing Automated License Plate Reader technology or surveillance cameras controlled or accessed by an external entity. This Ordinance also prevents the creation of government databases that record and retain the movements and locations of residents absent individualized suspicion of criminal activity.

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2.87.020. Definitions.

"Automated License Plate Reader" or "ALPR" means any fixed, mobile, or portable camera system—together with any associated software or server—that captures images of motor vehicles and automatically detects, extracts, or converts license plate numbers (and related vehicle descriptors such as make, model, color, date/time, and location) into searchable records on alerts.

"ALPR Data" means any data or information collected, generated, or derived by an ALPR system, including, without limitation, license plate numbers or characters, vehicle images, date and time stamps, GPS coordinates, and any other metadata associated with the ALPR system.

"City Agency" means any City of Bloomington department, office, board, commission, authority, or other instrumentality of the City of Bloomington government, including the Bloomington Police Department, and any employee, contractor, or agent acting on behalf of the City or a City Agency. For the purposes of this chapter, City Agency shall include the Central Emergency Dispatch jointly run by the City of Bloomington and Monroe County Government.

"Surveillance camera" means any fixed, mobile, portable, or remotely operated device or system that captures, records, monitors, or analyzes visual or audiovisual information concerning individuals, vehicles, or activities, and uses automated detection, recognition, classification, or tracking, whether operating continuously, intermittently, or in response to an event.

2.87.030. Prohibited Use and Operation of ALPR systems and ALPR data.

(a) No City Agency shall purchase, acquire, lease, contract for, fund, operate, use, or deploy any ALPR system within the corporate limits of Bloomington, Indiana, or on behalf of the City of Bloomington in any location.

(b) No City Agency shall record, retain, or store ALPR Data, nor cause any third party to record, retain, or store ALPR Data.

(c) No City Agency shall share, sell, transfer, provide access to, or otherwise disclose any ALPR Data in the City's possession to any third party, except pursuant to a valid court order expressly compelling such disclosure.

(d) No City Agency shall access, search, request, purchase, obtain, or use ALPR Data collected or maintained by any other government agency, private entity, vendor, or third party, whether directly or through a shared database, integrated platform, contractor, or intermediary.

Docusign Envelope ID: E372498F-5546-8AC9-83B5-610A72C27978

2.87.035. Prohibited Use and Operation of Certain Surveillance Camera Systems

No City Agency shall use any surveillance camera system that permits a third party to access, search, retrieve, receive, or independently use surveillance data collected, generated, or derived from the system, including but not limited to video, audio, images, metadata, biometric information, automated alerts, or information generated through artificial intelligence or other analytical processes.

This section does not apply to body-worn cameras used by the Bloomington Police Department.

This prohibition does not apply to disclosures expressly required by law or pursuant to a valid court order, or to strictly limited technical access necessary for system maintenance or security, provided such access is authorized by the City, logged, and does not permit independent use, retention, or disclosure of the data.

Notwithstanding any other provision of this Section, nothing herein shall be construed to prevent, restrict or interfere with any person or entity providing evidence or information derived from surveillance technology to the City for the purposes of conducting a criminal investigation with an assigned case number, or the City from receiving such evidence or information.

2.87.040. Use guidelines for Acceptable City Surveillance Cameras.

Any surveillance cameras not subject to the ban in section 2.87.035 shall have use guidelines in place that are posted on the City website within 60 days of the passage of Ordinance 2026-22. These use guidelines shall include, at a minimum, who has access to the data, for what purpose(s) the data may be accessed, in what cases the data may be shared, how the data is securely stored, for how long it will be stored, and a schedule of annual public reporting on its access and use.

No surveillance camera system otherwise permitted under this chapter shall be used for facial recognition, biometric identification, or automated tracking of identifiable persons without prior authorization by ordinance of the Common Council.

Docusign Envelope ID: E372498F-5546-8AC9-83B5-610A72C27978

SECTION 2. Severability. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor, and after any required waiting or notice periods under Indiana law.

Passed

Passed by the Common Council of the City of Bloomington, Monroe County, Indiana, upon the 14th day of October, 2026.

Signed by:
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10/20/2026 | 3:20 PM EDT
Isak Nti Asare
President, City of Bloomington

Attestation of Bloomington City Clerk:

Signed by:
Nicole Bolden
60DF9211B070448...
10/20/2026 | 3:30 PM EDT
Nicole Bolden
Clerk, City of Bloomington

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this day of , 2026:

Signed by:
Nicole Bolden
60DF9211B070448...
10/20/2026 | 3:30 PM EDT

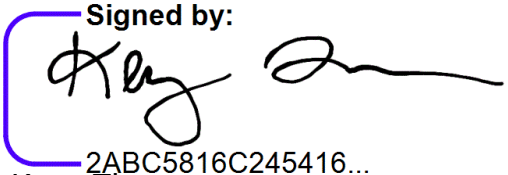
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Nicole Bolden
Clerk, City of Bloomington

Approval by Mayor

Signed and approved by me upon this day of , 2026:

Signed by:



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10/29/2026 | 3:46 PM EDT

Kerry Thomson
Mayor, City of Bloomington

Synopsis

This Ordinance prohibits the acquisition and use of automated license plate reader technology and certain surveillance camera systems within the City of Bloomington and by any City agency.

Distributed to: Clerk, Council Attorney, Legal, Mayor, and Police.